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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/460,552	12/14/1999	DAVID L. DEAN, JR.	HE0083	2615

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EXAMINER

AMARI, ALESSANDRO V

ART UNIT PAPER NUMBER

2872

DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/460,552

Applicant(s)

DEAN, JR. ET AL.

Examiner

Alessandro V. Amari

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 17-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6, 17, 19, 20 and 25-34 is/are allowed.
- 6) ☒ Claim(s) 18, 23 and 24 is/are rejected.
- 7) ☒ Claim(s) 21 and 22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: There is no description or support in the specification of the recitation in claim 1 of the parting line extending longitudinally over a majority of the ferrule between said front and said rear surfaces.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 18, 23 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Edwards et al. U.S. Patent 5,926,596.

In regard to claim 18, Edwards et al. discloses (see Figures 4 and 5) a ferrule comprising at least one optical fiber bore (34) extending from a front surface (42) to a rear surface (44) of said ferrule as shown in Figures 4 and 5; a shaft portion defining exterior surfaces of said ferrule as shown in Figure 4, said exterior surfaces at least partially extending longitudinally between said front and rear surfaces as shown in Figure 4; and a width transition, said width transition extending longitudinally along a majority of said exterior surfaces of, said ferrule shaft portion, said width transition comprising a width offset as shown in the lower portion of Figures 4 and 5 (where the first body portion forms flanges shown as element 22 in Figure 5).

Regarding claim 23, Edwards et al discloses that the width transition is formed by a first ferrule body portion and a second ferrule body portion, the first and second body portions cooperate to define a ledge as shown in Figures 4 and 5.

Regarding claim 24, Edwards et al discloses that the ferrule is a multifiber ferrule as described in column 5, lines 65-67.

Allowable Subject Matter

4. Claims 1-6, 17, 19-22 and 25-34 are allowed.
5. Claims 21 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
6. Claim 1 is allowable over the prior art for at least the reason that the prior art fails to teach or reasonably suggest, "said parting line extending longitudinally over a majority of the ferrule between said front surface and said rear surface" as set forth in

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the claimed combination. Claims 2-6 are also allowable based upon their dependence on claim 1.

Claim 17 is allowable over the prior art for at least the reason that the prior art fails to teach or reasonably suggest, "the width of said first ferrule body portion is defined to within a first tolerance, and the width of said second ferrule body portion is defined to within a second tolerance that is larger than the first tolerance" as set forth in the claimed combination. Claims 25-28 are also allowable based upon their dependence on claim 17.

Claim 19 is allowable over the prior art for at least the reason that the prior art fails to teach or reasonably suggest, "the width of one of said surfaces being defined to within a first tolerance, and the width of the other of said at least two surfaces being defined to within a second tolerance that is larger than the first tolerance" as set forth in the claimed combination. Claims 29-31 are also allowable based upon their dependence on claim 19.

Claim 20 is allowable over the prior art for at least the reason that the prior art fails to teach or reasonably suggest, "an exterior surface of the first body portion defined to within a first tolerance, and an exterior surface of the second body portion defined to within a second tolerance that is larger than the first tolerance" as set forth in the claimed combination. Claims 32-34 are also allowable based upon their dependence on claim 20.

Claim 21 is allowable over the prior art for at least the reason that the prior art fails to teach or reasonably suggest, "the first body portion being defined to within a first

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tolerance and the second body portion being defined to within a second tolerance that is larger than the first tolerance" as set forth in the claimed combination. Claim 22 is also allowable based upon its dependence on claim 21.

The prior art of record, Edwards et al. teaches a multifiber ferrule comprising two optical fiber bores with front and rear surfaces and first and second body portions extending at least partially between said surfaces with a juncture of said body portions comprising an interface in the form of a parting line wherein said parting line and said optical fiber bores extend longitudinally at least partially between said front surface and said rear surface and said parting line defining an offset of at least about 50 microns. However, Edwards does not teach the widths of the body portions being defined by specific tolerances nor that the parting line extends longitudinally over a majority of the ferrule between the front and rear surfaces and there is no motivation or teaching to modify this difference as derived.

Response to Arguments

7. Applicant's arguments filed 10 June 2003 have been fully considered but they are not persuasive.

The Applicant argues that in regard to claim 18, the prior art Edwards et al does not teach each and every element of the claim.

In response to this argument, Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. The Applicant submits that the

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arguments submitted in regard to claim 1 apply to claim 18. However, claim 18 is a broader claim than claim 1. Claim 1 recites specific features such as first and second body portions, a parting line and its relationship to the first and second body portions and that the parting line defines an offset that is at least 50 microns between the first and second body portions. Claim 18 only claims a ferrule with an optical fiber bore, a shaft portion and a width transition, which comprise a width offset. The Examiner respectfully submits that the prior art, Edwards et al still reads on claim 18 as currently recited. The first body portion (12) extends outwardly from the second body portion (14) as shown in Figure 5 and thus defines a width transition (see element 22 in Figure 5) along a majority of the exterior surfaces of the ferrule shaft portion, which comprises a width offset. Furthermore, the claim as currently written can be taken to read on any MT ferrule. Furthermore, Edwards et al US Patent 5,375,183 (provided as part of the Information Disclosure Statement) shows a ferrule with an optical fiber bore, a shaft portion and a width transition which comprise a width offset as shown in Figure 5.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Regarding claim 18, Edwards et al US Patent 5,375,183 shows a ferrule with an optical fiber bore, a shaft portion and a width transition which comprise a width offset as shown in Figure 5.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alessandro V. Amari whose telephone number is (703)

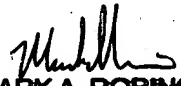
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306-0533. The examiner can normally be reached on Monday-Friday 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on (703) 305-0024. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

ava *ava*
August 9, 2003


MARK A. ROBINSON
PRIMARY EXAMINER